

GAHC040004652023



THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)
(ITANAGAR BENCH)

Case No. : IA(C) 58/2023

1:THE UNION OF INDIA and 3 Ors.
Ministry of Defence,
Represented by the Defence Secretary, 101A South Block, New Delhi 110011

2: The Director General of Defence Estates (DGDE)
Raksha Sampada Bhawan
Ulaan Baatar Marg
Delhi Cantonment. PIN 110010

3: The Principal Director of Defence Estates
Eastern Command (PDDEEC)
AC 4
4/1
Belveder Road
Alipore
Kolkata
West Bengal
PIN 700027

4: The Defence Estates Officer (DEO)
Itanagar Circle
Dist. Papum Pare
Arunachal Pradesh. Pin 79111

VERSUS

1:Dorjee Khandu Chukla and 7 Ors.
S/o Shri Pasang Tsering Chukla,
R/o Vill. Chukla, Dorjeeling, PO/PS Mechuka, Dist. Shi Yomi, Arunachal Pradesh.
Pin 791003

2:Norbu Tsering Naksang
S/o Lt. Taling Naksang

R/o Vill. Barangang
PO/PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. PIN 791003

3:Nyima Chanden Sharjo
S/o Lt. Sange Dorjee Sharjo

R/o Vill. Mechuka
PO/PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. Pin 791003

4:Dorjee Dindup Philley
S/o Sanga Khandu Philley
Vill. Segong
PO/PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. Pin 791003

5:Domdi Sona
S/o Lt. Nim Chanden Sona

Vill Yorni
PO/PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. Pin 791003

6:Kumar Sona
S/o Lt. Sange Sona

Vill Yorni
PO/PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. Pin 791003

(All the above named petitioners/ Respondents are represented by their duly constituted and appointed Power of Attorney holder

namely

Shri Togo Riba

S/o Lt. Nyato Riba

R/o Likabali

Lower Siang District

Arunachal Pradesh. Pin 791125)

7:The Collector cum Deputy Commissioner
Shi Yomi District
Tato

Arunachal Pradesh. PIN 791001

8:The Director
Land Management
Govt. of Arunachal Pradesh
Itanagar

Advocate for the Petitioner : 1 Y Doloi

Advocate for the Respondent : Bomyom Ori

Linked Case : L.A.Appl. 1/2022

1:The Union of India and 3 Ors.
Ministry of Defence
Represented by the Defence Secretary
101A South Block
New Delhi 110011

2: The Director General
of Defence Estates (DGDE)
Raksha Sampada Bhawan
Ulaan Baatar Marg
Delhi Cantonment. PIN 110010

3: The Principal Director
of Defence Estates
Eastern Command (PDDEEC)
AC 4
4/1
Belveder Road
Alipore
Kolkata
West Bengal. PIN 700027

4: The Defence Estate Officer (DEO)
Itanagar Circle
Dist. Papum Pare
Arunachal Pradesh. PIN 791110
VERSUS

1:Dorjee Khandu Chukla and 6 Ors.
S/o Shri Pasang Tsering Chukla

R/o Vill. Chukla
Dorjeeling
PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. PIN 791003

2:Norbu Tsering Naksang
S/o Lt. Taling Naksang

R/o Vill. Barangang

PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh.
PIN 791003

3:Nyima Chanden Sharjo
S/o Lt. Sange Dorjee Sharjo

R/o Vill. Mechuka

PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. PIN 791003

4:Dorjee Dindup Philley
S/o Sanga Khandu Philley

Vill Segong
PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. PIN 791003

5:Domdi Sona
S/o Lt. Nim Chanden Sona

Vill Yorni
PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. PIN 791003

6:Kumar Sona
S/o Lt. Sange Sona

Vill Yorni
PO and PS Mechuka
Dist. Shi Yomi

Arunachal Pradesh. PIN 791003

7:The Collector cum Deputy Commissioner
Shi Yomi District
Tato
Arunachal Pradesh. PIN 791001

Advocate for the Petitioner : 1 Y Doloi
Advocate for the Respondent : GA (AP)

Linked Case : IA(C) 60/2023

1:THE UNION OF INDIA and 3 Ors.
Ministry of Defence
Represented by the Defence Secretary
101A South Block
New Delhi 110011

2: The Director General of Defence Estates (DGDE)
Raksha Sampada Bhawan
Ulaan Baatar Marg
Delhi Cantonment. PIN 110010

3: The Principal Director of Defence Estates
Eastern Command (PDDEEC)
AC 4
4/1
Belveder Road
Alipore
Kolkata
West Bengal
PIN 700027

4: The Defence Estates Officer (DEO)
Itanagar Circle
Dist. Papum Pare
Arunachal Pradesh. PIN 791110
VERSUS

1:Thinley Sona and 5 Ors.
S/o Lt. Lhakpa Sona

R/o Vill Singbir

PO/PS Mechuka

Dist. Shi Yomi
Arunachal Pradesh. Pin 791003

2:Pema Namgey Chukla
S/o Phinjo Chukla

R/o Vill. Shorangdam

PO/PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. Pin 791003

3:Tenjen Chukla
S/o Singtung Chukla

R/o Vill Yorni

PO/PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh.
PIN 791003

4:Korma Mindu Goiba
S/o Late Lera Goiba

Vill. Farge
PO/PS Mechuka

Dist. Shi Yomi
Arunachal Pradesh.
PIN 791003.

(All the above-named petitioners/Respondents are represented by their duly constituted and appointed Power of Attorney holder

namely

Shri Togo Riba

S/o Lt. Nyato Riba

R/o Likabalai

Lower Siang District

Arunachal Pradesh. Pin 791125)

5:The Collector cum Deputy Commissioner
Shi Yomi District
Tato
Arunachal Pradesh. PIN 791001

6:The Director
Land Management
Govt. of Arunachal Pradesh

Itanagar.

Advocate for the Petitioner : 1 Y Doloi

Advocate for the Respondent : Bomyom Ori

Linked Case : L.A.Appl. 1/2023

1:Thinley Sona and 2 Ors.

Son of Late Lhakpa Sona

A Permanent Resident of Village Singbir

PO and PS Mechuka

Dist. Shi Yomi

Arunachal Pradesh. PIN 791003

2: Pema Namgey Chukla

A GED

Son of Phinjo Chukla

a permanent resident of Village Shorangdam

PO and PS Mechuka

District Shi Yomi

Arunachal Pradesh

PIN 791003

3: Tenjen Chukla

Son of Singtung Chukla

A Permanent Resident of Village Yorni

PO and PS Mechuka

District Shi Yomi

Arunachal Pradesh

PIN 791003

4: Karma Mindu Goliba

Son of Late Lera Goiba

a Permanent Resident of Village Farge

PO and PS Mechuka

District Shi Yomi

Arunachal Pradesh

PIN 791003

VERSUS

1:The Collector cum Deputy Commissioner and 4 Ors.

Shi Yomi District

Tato
Arunachal Pradesh
PIN 791001

2:The Union of India
Ministry of Defence

Represented by the Defence Secretary
101A South Block
New Delhi 110011

3:The Director General Defence Estates (DGDE)
Raksha Sampada Bhawan
Ulaan Baatar Marg
Delhi Cantonment
PIN 110010

4:The Principal Director of Defence Estates
Eastern Command (PDDEEC)
AC 4
Belveder Road
Alipore
Kolkata
West Bengal
PIN 700027

5:The Defence Estates Officer (DEO)
Itanagar
District Papum Pare
Arunachal Pradesh
PIN 791110

Advocate for the Petitioner : Chorpok Modi
Advocate for the Respondent : GA (AP)

Linked Case : L.A.Appl. 3/2023

1:Dorjee Khandu Chukla and 5 Ors.
Son of Shri Pasang Tsering Chukla

a Permanent Resident of Village Chukla
Dorjeeling
PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh
PIN 791003

2: Norbu Tsering Naksang
Son of Late Taling Naksang

A Permanent Resident of Village Barangang
PO and PS Mechuka
District Shi Yomi
Arunachal Pradesh
PIN 791003

3: Nyima Chanden Sharjo
Son of Late Sange Dorjee Sharjo

A Permanent Resident of Village Mechuka
PO and PS Mechuka
District Shi Yomi
Arunachal Pradesh
PIN 791003

4: Dorjee Dindup Philley
Son of Shri Sanga Khandu Philley

a Permanent Resident of Village Segong
PO and PS Mechuka
District Shi Yomi
Arunachal Pradesh
PIN 791003

5: Domdi Sona
Son of Late Nima Chanden Sona

A Permanent Resident of Village Yorni
PO and PS Mechuka
District Shi Yomi
Arunachal Pradesh
PIN 791003

6: Kumar Sona
Son of Late Sange Sona

A Permanent Resident of Village Yorni
PO and PS Mechuka
District Shi Yomi
Arunachal Pradesh
PIN 791003
VERSUS

1: The Collector cum Deputy Commissioner and 4 Ors.

Shi Yomi District
Tato
Arunachal Pradesh
PIN 791001

2:The Union of India
Ministry of Defence

Represented by the Defence Secretary
101A South Block
New Delhi 110011

3:The Director General of Defence Estates (DGDE)
Raksha Sampada Bhawan
Ulaan Baatar Marg
Delhi Cantonment
PIN 110010

4:The Principal Director of Defence Estates
Eastern Command (PDDEEC)
AC 4
Belveder Road
Alipore
Kolkata
West Bengal
PIN 700027

5:The Defence Estates Officer (DEO)
Itanagar
District Papum Pare
Arunachal Pradesh
PIN 791110

Advocate for the Petitioner : Chorpok Modi
Advocate for the Respondent : GA (AP)

Linked Case : L.A.Appl. 3/2022

1:The Union of India and 3 Ors.
Ministry of Defence Secretary
101A South Block
New Delhi 110011

2: The Director General
of Defence Estates (DGDE)
Raksha Sampada Bhawan

Ulaan Baatar Marg
Delhi Cantonment. PIN 110010

3: The Principal Director
of Defence Estates. Eastern Command (PDDEEC)
AC 4
4/1
Belveder Road
Alipore
Kolkata
West Bengal. PIN 70002

4: The Defence Estate Officer (DEO)
Itanagar Circle
Dist. Papum Pare
Arunachal Pradesh. PIN 791110
VERSUS

1:Thinley Sona and 4 Ors.
S/o Lt. Lhakpa Sona

R/o Vill. Singbir

PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. PIN 791003

2:Pema Namgey Chukla
S/o Phinjo Chukla

R/o Vill Shorangdam

PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh.
PIN 791003

3:Tenjen Chukla
S/o Singtung Chukla

R/o Vill. Yorni
PO and PS Mechuka. Dist. Shi Yomi
Arunachal Pradesh. PIN 791003

4:Korma Mindu Goiba
S/o Late Lera Goiba

R/o Vill Farge

PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh.
PIN 791003

5: The Collector cum Deputy Commissioner
Shi Yomi District
Tato
Arunachal Pradesh. PIN 791001

Advocate for the Petitioner : 1 Y Dolo
Advocate for the Respondent : GA (AP)

Linked Case : L.A.Appl. 2/2023

1: Libo Ragmuk and 2 Ors.
Son of Late Tabin Ragmuk

A Permanent Resident of Village
Talo
PO and PS Tato
District Shi Yomi
Arunachal Pradesh
PIN 791001

2: Eling Ragmuk
Son of Late Tabin Ragmuk

A Permanent Resident of Village Tato
PO and PS Tato
District Shi Yomi
Arunachal Pradesh
PIN 791001

3: Raju Diru
Son of Tachuk Diru

A Permanent Resident of Village Tato
PO and PS Tato
District Shi Yomi
Arunachal Pradesh
PIN 791001

4: Tajen Diru
Son of Libo Diru

a Permanent Resident of Village Tato
PO and PS Tato
District Shi Yomi
Arunachal Pradesh
PIN 791001
VERSUS

1:The Collector cum Deputy Commissioner and 4 Ors.
Shi Yomi District
Tato
Arunachal Pradesh
PIN 791001

2:The Union of India
Ministry of Defence

Represented by the Defence Secretary
101A South Block
New Delhi 110011

3:The Director General Defence Estates (DGDE)
Raksha Sampada Bhawan
Ulaan Baatar Marg
Delhi Cantonment
PIN 110010

4:The Principal Director of Defence Estates
Eastern Command (PDDEEC)
AC 4
Belveder Road
Alipore
Kolkata
West Bengal
PIN 700027

5:The Defence Estates Officer (DEO)
Itanagar
District Papum Pare
Arunachal Pradesh
PIN 791110

Advocate for the Petitioner : Chorpok Modi
Advocate for the Respondent : GA (AP)

Linked Case : L.A.Appl. 2/2022

1:The Union of India and 3 Ors.
Ministry of Defence

Represented by the Defence Secretary
101A South Block
New Delhi 110011

2: The Director General
of Defence Estates (DGDE)
Raksha Sampada Bhawan
Ulaan Baatar Marg
Delhi Cantonment. PIN 110010

3: The Principal Director
of Defence Estates. Eastern Command (PDDEEC)
AC 4
4/1
Belveder Road
Alipore
Kolkata
West Bengal. PIN 700027

4: The Defence Estate Officer (DEO)
Itanagar Circle
Dist. Papum Pare
Arunachal Pradesh. PIN 791110
VERSUS

1:Libo Ragmuk and 4 Ors.
S/o Libo Ragmuk

R/o Vill. Talo
PO and PS Tato
Dist. Shi Yomi
Arunachal Pradesh.
PIN 791001

2:Eling Ragmuk
S/o Late Tabin Ragmuk

R/o Vill Talo
PO and PS Tato
Dist. Shi Yomi
Arunachal Pradesh. PIN 791001

3:Raju Diru
S/o Tachuk Diru

R/o Vill Talo
PO and PS Tato
Dist. Shi Yomi
Arunachal Pradesh. PIN 791001

4:Tajen Diru
S/o Libu Diru

R/o Vill Talo
PO and PS Tato
Dist. Shi Yomi
Arunachal Pradesh. PIN 791001

5:The Collector cum Deputy Commissioner
Shi Yomi District
Tato
Arunachal Pradesh. PIN 791001

Advocate for the Petitioner : 1 Y Doloi
Advocate for the Respondent : GA (AP)

Linked Case : IA(C) 240/2022

1:The Union of India and 3 Ors.
Ministry of Defence Secretary
101A South Block
New Delhi 110011

2: The Director General
of Defence Estates (DGDE)
Raksha Sampada Bhawan
Ulaan Baatar Marg
Delhi Cantonment. PIN 110010

3: The Principal Director
of Defence Estates. Eastern Command (PDDEEC)
AC 4
4/1
Belveder Road
Alipore
Kolkata
West Bengal. PIN 70002

4: The Defence Estate Officer (DEO)
Itanagar Circle
Dist. Papum Pare

Arunachal Pradesh. PIN 791110
VERSUS

1:Thinley Sona and 4 Ors.
S/o Lt. Lhakpa Sona
R/o Vill. Singbir
PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. PIN 791003

2:Pema Namgey Chukla
S/o Phinjo Chukla
R/o Vill Shorangdam
PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. PIN 791003

3:Tenjen Chukla
S/o Singtung Chukla
R/o Vill. Yorni
PO and PS Mechuka. Dist. Shi Yomi
Arunachal Pradesh. PIN 791003

4:Korma Mindu Goiba
S/o Late Lera Goiba
R/o Vill Farge
PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. PIN 791003

5:The Collector cum Deputy Commissioner
Shi Yomi District
Tato
Arunachal Pradesh. PIN 791001

Advocate for the Petitioner : 1 Y Doloi
Advocate for the Respondent : GA (AP)

Linked Case : IA(C) 59/2023

1:THE UNION OF INDIA and 3 Ors.
Represented by the Defence Secretary
101A South Block
New Delhi 110011.

2: The Director General of Defence Estates (DGDE)

Raksha Sampada Bhawn
Ulaan Baatar Marg
Delhi Cantonment. PIN 110010

3: The Principal Director of Defence Estates
Eastern Command (PDDEEC)
AC 4
4/1
Belveder Road
Alipore
Kolkata
West Bengal
PIN 700027

4: The Defence Estates Officer (DEO)
Itanagar Circle
Dist. Papum Pare
Arunachal Pradesh. PIN 791110
VERSUS

1:Libo Ragmuk and 5 Ors.
S/o Taduk Ragmuk

R/o Vill Talo
PO/PS Tato
Dist. Shi Yomi
Arunachal Pradesh. PIN 791001

2:Eling Ragmuk
S/o Late Tabin Ragmuk

R/o Vill. Talo
PO/PS Tato
Dist. Shi Yomi
Arunachal Pradesh. PIN 791001

3:Raju Diru
S/o Tachuk Diru

R/o Vill Talo
PO/PS Tato
Dist. Shi Yomi
Arunachal Pradesh. PIN 791001

4:Tajen Diru
S/o Libu Diru

R/o Vill Talo

PO/PS Tato
Dist. Shi Yomi
Arunachal Pradesh. PIN 791001

5:The Collector cum Deputy Commissioner
Shi Yomi District
Tato
Arunachal Pradesh. PIN 791001

6:The Director
Land Management
Govt. of Arunachal Pradesh
Itanagar.

Advocate for the Petitioner : 1 Y Doloi
Advocate for the Respondent : Bomyom Ori

Linked Case : IA(C) 237/2022

1:The Union of India and 3 Ors.
Represented by the Defence Secretary
101A South Block
New Delhi 110011

2: The Director General
of Defence Estates (DGDE)
Raksha Sampada Bhawan
Ulaan Baatar Marg
Delhi Cantonment. PIN 110010

3: The Principal Director
of Defence Estates
Eastern Command (PDDEEC)
AC 4
4/1 Belveder Road
Alipore
Kolkata
West Bengal. PIN 700027

4: The Defence Estate Officer (DEO)
Itanagar Circle
Dist. Papum Pare
Arunachal Pradesh. PIN 791110
VERSUS

1:Dorjee Khandu Chukla and 6 Ors.

S/o Shri Pasang Tsering Chukla

R/o Vill. Chukla
Dorjeeling

PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh.
PIN 791003

2:Norbu Tsering Naksang
S/o Lt. Taling Naksang

R/o Vill. Barangang
PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. PIN 791003

3:Nyima Chanden Sharjo
S/o Lt. Sange Dorjee Sharjo

R/o Vill. Mechuka
PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. PIN 791003

4:Dorjee Dindup Philley
S/o Sanga Khandu Philley

Vill Segong
PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh. PIN 791003

5:Domdi Sona
S/o Lt. Nim Chanden Sona

Vill Yorni
PO and PS Mechuka
Dist. Shi Yomi
Arunachal Pradesh.
PIN 791003

6:Kumar Sona
S/o Lt. Sange Sona

Vill Yorni
PO and PS Mechuka

Dist. Shi Yomi
Arunachal Pradesh. PIN 791003

7: The Collector cum Deputy Commissioner
Shi Yomi District
Tato
Arunachal Pradesh. PIN 791001

Advocate for the Petitioner : 1 Y Doloi
Advocate for the Respondent : GA (AP)

Linked Case : IA(C) 239/2022

1: The Union of India and 3 Ors.
Ministry of Defence
Represented by the Defence Secretary
101A South Block
New Delhi 110011

2: The Director General of
of Defence Estates (DGDE)
Raksha Sampada Bhawan
Ulaan Baatar Marg
Delhi Cantonment. PIN 110010

3: The Principal Director
of Defence Estates. Eastern Command (PDDEEC)
AC 4
4/1
Belveder Road
Alipore
Kolkata
West Bengal. PIN 700027

4: The Defence Estate Officer (DEO)
Itanagar Circle
Dist. Papum Pare
Arunachal Pradesh. PIN 791110
VERSUS

1: Libo Ragmuk and 4 Ors.
S/o Libo Ragmuk
R/o Vill. Talo
PO and PS Tato
Dist. Shi Yomi
Arunachal Pradesh. PIN 791001

2:Eling Ragmuk
S/o Late Tabin Ragmuk
R/o Vill Talo
PO and PS Tato
Dist. Shi Yomi
Arunachal Pradesh. PIN 791001

3:Raju Diru
S/o Tachuk Diru
R/o Vill Talo
PO and PS Tato
Dist. Shi Yomi
Arunachal Pradesh. PIN 791001

4:Tajen Diru
S/o Libu Diru
R/o Vill Talo
PO and PS Tato
Dist. Shi Yomi
Arunachal Pradesh. PIN 791001

5:The Collector cum Deputy Commissioner
Shi Yomi District
Tato
Arunachal Pradesh. PIN 791001

Advocate for the Petitioner : 1 Y Dolo
Advocate for the Respondent : GA (AP)

**BEFORE
HONBLE MR. JUSTICE KARDAK ETE**

ORDER

Date : 06-06-2023

Heard Mr. V. Banerjee, learned ASG for the petitioners assisted by Mr. Y. Doloi, learned Senior Panel Counsel for The Union of India; Mr. Prasant Rawat, learned Advocate; Mr. Tathagat Sharma, learned Advocate and also heard Mr. B. Pathak, learned counsel for the respondents.

Hearing concluded.

Reserved for judgment and order.

JUDGE

Comparing Assistant